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13 **UNITED STATES DISTRICT COURT**  
14 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

15 JUKIN MEDIA, INC., a California  
16 corporation,

17 Plaintiff,

18 v.

19 ZOOMIN.TV, a Dutch company,

20 Defendant.

CASE NO. 2:15-cv-7158

**COMPLAINT FOR  
COPYRIGHT INFRINGEMENT  
AND TORTIOUS  
INTERFERENCE WITH  
PROSPECTIVE ECONOMIC  
ADVANTAGE**

**DEMAND FOR JURY TRIAL**

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LOS ANGELES, CA 90067  
310-229-9900

1 Plaintiff Jukin Media, Inc., for its complaint, alleges the following:

2 **INTRODUCTION**

3 1. Jukin Media, Inc. (“Jukin”) is a digital media company headquartered  
4 in Los Angeles, California. Jukin provides content and licensing resources for  
5 internet video content and has a library of over 17,000 pieces of original user-  
6 generated content. To build this library, Jukin employs eleven people full time to  
7 discover trending and valuable content. These employees devote their time to  
8 identifying content that will be popular and valuable – determinations that depend  
9 on their data analysis and experience in the digital media industry. Jukin then  
10 commits its resources to finding the correct owner of the content and acquiring or  
11 licensing it. Once Jukin and the owner enter into a deal, Jukin actively markets the  
12 video to increase its value to the benefit of the creator and Jukin.

13 2. Jukin provides private individuals a way to monetize their videos by  
14 accessing a historically difficult-to-enter market for media content, and has become  
15 a market leader in the discovery, acquisition, monetization, licensing, and  
16 distribution of short-form viral video content. Jukin offers a proprietary platform  
17 that allows its partners access to its library for use in various commercial  
18 applications. Jukin also offers curated video collections via its themed YouTube  
19 channels and content-focused websites, and independently produces or co-  
20 produces content displayed on broadcast television and other traditional means of  
21 media distribution.

22 3. Jukin also employs a rights management team to actively mitigate the  
23 effects of lost revenue to its video owners by seeking licenses or advertising  
24 revenue monetization from infringing parties.

25 4. Despite notice of Jukin’s proprietary rights, Defendant Zoomin.TV  
26 (“Defendant” or “Zoomin”) has and continues to willfully infringe Jukin’s rights  
27 by copying Jukin’s videos without permission or a license to do so.  
28

**THE PARTIES**

5. Plaintiff Jukin Media, Inc. is a California corporation with its principal place of business in Los Angeles, California.

6. On information and belief, Defendant Zoomin.TV is a Dutch company with an office in the United States located at 990 Biscayne Boulevard, Office 501, Miami, Florida 33132.

7. Defendant operates a website at [www.Zoomin.tv](http://www.Zoomin.tv) that displays videos uploaded by Defendant's own staff. Defendant also publishes videos on other internet websites, including on AOL.com, MyVideo.de, Blinkx.com, DailyMotion.com, Yahoo.com, Bild.de, MSN.com/de-de, DelealPlay.es, Tu.tv, and YouTube.com (the "Zoomin Websites").

**JURISDICTION AND VENUE**

8. This Complaint arises in part under the Copyright Act, 17 U.S.C. § 101 *et seq.* Accordingly, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338, 1367.

9. Zoomin is subject to the personal jurisdiction of this Court because, among other things, Zoomin is doing business in the state of California, and the acts of infringement complained of in this Complaint took place in the state of California, were intended to cause harm within the state of California, and did cause harm within the state of California.

10. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events that give rise to this Complaint occurred in this judicial district.

**FACTUAL ALLEGATIONS**

11. Jukin invests in substantial research and analytical efforts to discover short-form viral videos that it believes may be interesting to the public. Jukin's eleven full time employees research and evaluate videos, on a case-by-case basis, that are likely to be popular and valuable, *i.e.*, have the potential to go viral. For

1 every 400 videos it reviews, only about 20 are considered for acquisition. Jukin  
2 then either licenses or acquires the right to use the videos, or portions thereof, in  
3 various commercial applications. Jukin often acquires these rights on an exclusive  
4 basis. Jukin monetizes these videos through advertising revenue and by licensing  
5 to various distribution channels for use in advertisements, entertainment  
6 productions, news programs, and other productions desirous of short-form content.  
7 For purposes of this Complaint, videos acquired or licensed by Jukin will be  
8 referred to as the “Jukin Original Videos” or simply the “Original Videos.”

9 12. Jukin also monetizes the Original Videos via broadcast on Jukin’s  
10 own branded YouTube channels, on several of its websites including  
11 www.JukinVideo.com, and through other partners such as Vessel. Jukin may also  
12 re-publish certain videos in order to increase their distribution. When Jukin  
13 republishes the Original Videos, it typically does so almost immediately after  
14 acquiring the rights to these videos so that it can expand the virality of the videos  
15 and increase its revenue generated therefrom.

16 13. Jukin’s in-house rights management team spends significant time  
17 searching the internet for infringing copies of its Original Videos and identifying  
18 persistent infringers. Once infringing content has been identified, the rights  
19 management team contacts the infringer and works diligently to try resolving the  
20 infringement through a licensing agreement.

21 14. By acquiring the rights to these Original Videos in exchange for a  
22 license fee or a share of net proceeds earned from the videos, Jukin provides a way  
23 for individuals to maximize the potential of their videos in a manner that they  
24 would not be able to otherwise do on their own. Individual video owners are  
25 unlikely to have the full resources, knowledge, or contacts to fully monetize their  
26 videos, increase views of their videos (from which increased revenue may be  
27 derived), or enforce their rights against infringers like Defendant.

**Defendant's Infringing Activities**

15. Defendant operates a website known as Zoomin.tv, which features video content across a wide variety of categories, such as entertainment, news, games, and music. Defendant also posts many videos on third party websites.

16. Many of the videos posted by Defendant on the Zoomin Websites are Jukin Original Videos.

17. Defendant has a pattern and practice of infringing Jukin's videos by syndicating Jukin's content without permission. Defendant has visited Jukin's headquarters in Los Angeles and admitted infringing Jukin's Original Videos.

18. Defendant infringed Jukin's rights in least thirty-one (34) Original Videos.

19. On information and belief, Defendant's pattern and practice is intentional, malicious, and in reckless disregard for Jukin's copyright ownership in its Original Videos.

20. Defendant's actions with respect to its infringements are not good-faith misunderstandings of the source of the infringed content. The Jukin Original Videos often include licensing information in the description of the video on YouTube, e.g. "Jukin Media Verified (Original) \*For licensing/ permission to use: Contact: licensing@jukinmedia.com." Even if such licensing information is not included in the video, Defendant has no right under the law to copy the Jukin Original Videos without first contacting the apparent video owner to seek permission for use.

**Jukin's Infringed Videos**

21. Defendant has a clear pattern and practice of copying Jukin's Original Videos, as detailed below (collectively, the "Infringing Videos").

22. **INFRINGED VIDEO #1:** Jukin acquired the rights to "Two Black Bears Fight in Front Yard" on October 27, 2014, available at <https://www.youtube.com/watch?v=OMYEKAFhJuw> and incorporated by

reference herein. Jukin subsequently republished this video on its own channel. Jukin also obtained copyright registration number PA 1-941-420 this video.

23. On November 3, 2014, Defendant posted a video entitled “Two bears fighting in residential area” at [http://www.dailymotion.com/video/x2988tc\\_two-bears-fighting-in-residential-area\\_news](http://www.dailymotion.com/video/x2988tc_two-bears-fighting-in-residential-area_news) and incorporated by reference herein. Defendant’s video consists entirely of content taken from Jukin’s Original Video.

24. **INFRINGED VIDEO #2:** Jukin acquired the rights to “Multiple Boats Crash during Crew Race” on November 11, 2014, available at <https://www.youtube.com/watch?v=XDvMBPZ5Bik> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

25. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2500675497, and is awaiting issuance of the registration.

26. On February 13, 2015, Defendant posted a video entitled “Epic Fail: Ruder-Regatta wird zur Slapstick-Nummer” at <http://www.msn.com/de-de/video/ansehen/epic-fail-ruder-regatta-wird-zur-slapstick-nummer/vp-AA9mhDY> and incorporated by reference herein. Defendant’s video consists entirely of content taken from Jukin’s Original Video. Defendant’s video copies the entirety of Jukin’s Original Video.

27. **INFRINGED VIDEO #3:** Jukin acquired the rights to “Slo mo destruction at carrer de Llull” on November 19, 2014, available at [https://www.youtube.com/watch?v=-\\_FXo1JqMEA](https://www.youtube.com/watch?v=-_FXo1JqMEA) and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

28. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2676702406, and is awaiting issuance of the registration.

29. On November 24, 2014, Defendant posted a video entitled “Epic Fail: Demolished Building’s Last Revenge” at <http://on.aol.com/video/epic-fail-->

demolished-buildings-last-revenge-518530493 and incorporated by reference herein. Defendant's video consists entirely of content taken from Jukin's Original Video.

30. **INFRINGED VIDEO #4:** Jukin acquired rights to "You' le phoque au Cap Ferret avec un chien" January 14, 2015, available at [https://www.youtube.com/watch?v=5piUox\\_sBWg](https://www.youtube.com/watch?v=5piUox_sBWg) and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

31. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2500675262, and is awaiting issuance of the registration.

32. On February 8, 2015, Defendant posted a video under the following titles and at the following websites, incorporated by reference herein, each an infringement:

- a. "Kuschelattacke: Robbe flirtet mit Golden Retriever" available at [http://www.myvideo.de/watch/11692185/Kuschelattacke\\_Robbe\\_flirtet\\_mit\\_Golden\\_Retriever](http://www.myvideo.de/watch/11692185/Kuschelattacke_Robbe_flirtet_mit_Golden_Retriever);
- b. "Kuschelattacke: Robbe flirtet mit Golden Retriever" available at <http://www.blinkx.com/ce/8aQjLFlQakpCW4Z1e9VfLx6QOGFRakxGbFFha3BDVzRaMWU5VmZMeDZROGFRakxGbFFha3BDVzR>;
- c. "Un chien et un phoque, plus amoureux que jamais!" available at <http://www.blinkx.com/ce/7aQu68kEpm5CtufxWnUVshNwN2FRdTY4a0VwbTVDdHVmeFduVVZzaE53N2FRdTY4a0VwbTVDdHV>; and
- d. "Foca e cane, amici per la vita" available at



1 <http://www.blinkx.com/ce/gaQJLbJPBAIgQA9tM9t7mb0QZ2F>  
 2 [RSkxiSIBCQUlnUUE5dE05dDdtYjBRZ2FRSkxiSIBCQUlnU](http://www.blinkx.com/ce/gaQJLbJPBAIgQA9tM9t7mb0QZ2F)  
 3 [UE.](http://www.blinkx.com/ce/gaQJLbJPBAIgQA9tM9t7mb0QZ2F)

4 Defendant's video, at all four links, consists entirely of content taken from Jukin's  
 5 Original Video.

6 33. **INFRINGEMENT VIDEO #5:** Jukin acquired rights to "Man Tries to  
 7 Grab Cat Stuck in Claw Machine" on February 3, 2015, available at  
 8 <https://www.youtube.com/watch?v=xgH6C5SYjbE> and incorporated by reference  
 9 herein. Jukin subsequently republished this video on its own channel.

10 34. Jukin also filed an application for copyright registration with the  
 11 United States Copyright Office for this video, application case number 1-  
 12 2690545061, and is awaiting issuance of the registration.

13 35. On February 3, 2015, Defendant posted a video under the following  
 14 six titles and at the following six websites, incorporated by reference herein:

- 15 a. "The Most Fun and Challenging Way to Win a Cat" at  
 16 [http://on.aol.com/video/the-most-fun-and-challenging-way-to-](http://on.aol.com/video/the-most-fun-and-challenging-way-to-win-a-cat-518631946)  
 17 [win-a-cat-518631946;](http://on.aol.com/video/the-most-fun-and-challenging-way-to-win-a-cat-518631946)
- 18 b. "The Most Fun and Challenging Way to Win a Cat" at  
 19 [http://www.dailymotion.com/video/x2gajnp\\_the-most-fun-and-](http://www.dailymotion.com/video/x2gajnp_the-most-fun-and-challenging-way-to-win-a-cat_news)  
 20 [challenging-way-to-win-a-cat\\_news;](http://www.dailymotion.com/video/x2gajnp_the-most-fun-and-challenging-way-to-win-a-cat_news)
- 21 c. "The Most Fun and Challenging Way to Win a Cat" at  
 22 [http://www.zoomin.tv/site/video.cfm/lang/en-](http://www.zoomin.tv/site/video.cfm/lang/en-n/video/650075/refcat/Animals%20and%20Pets/The-most-fun-and-challenging-way-to-win-a-cat)  
 23 [n/video/650075/refcat/Animals%20and%20Pets/The-most-fun-](http://www.zoomin.tv/site/video.cfm/lang/en-n/video/650075/refcat/Animals%20and%20Pets/The-most-fun-and-challenging-way-to-win-a-cat)  
 24 [and-challenging-way-to-win-a-cat;](http://www.zoomin.tv/site/video.cfm/lang/en-n/video/650075/refcat/Animals%20and%20Pets/The-most-fun-and-challenging-way-to-win-a-cat)
- 25 d. "Glücksgriff: Katze in Greifarmautomaten," at  
 26 [http://www.myvideo.de/watch/11704451/Gluecksgriff\\_Katze\\_i](http://www.myvideo.de/watch/11704451/Gluecksgriff_Katze_i)  
 27 [n\\_Greifarmautomaten;](http://www.myvideo.de/watch/11704451/Gluecksgriff_Katze_i)
- 28 e. "Glücksgriff: Katze in Greifarmautomaten," at



<http://www.msn.com/de-de/video/ansehen/gl%C3%BCcksgriff-katze-in-greifarmautomaten/vp-AA8Y3h0>; and

f. “Tentez votre chance, remportez un chat vivant!” at <https://screen.yahoo.com/zoomin-videos/tentez-votre-chance-remportez-un-082200657.html>.

Defendant’s video, at all six links, copies the entirety of Jukin’s Original Video.

36. **INFRINGEMENT VIDEO #6:** Jukin acquired rights to “Man and boy get sucked down” on February 5, 2015, available at <https://www.youtube.com/watch?v=nTO5gD5th-0>, and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

37. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690545149, and is awaiting issuance of the registration.

38. On February 1, 2015, Defendant posted a video under the following titles and at the following websites, incorporated by reference herein:

- a. “Brésil: deux enfants engloutis par un trou d'eau” at [http://www.blinkx.com/ce/saQ\\_2xLvVHhwPRAqLj-0a7vAc2FRXzJ4THZWSGh3UFJhcUxqLTBhN3ZBc2FRXzJ4THZWSGh3UFJ](http://www.blinkx.com/ce/saQ_2xLvVHhwPRAqLj-0a7vAc2FRXzJ4THZWSGh3UFJhcUxqLTBhN3ZBc2FRXzJ4THZWSGh3UFJ); and
- b. “Brésil: deux enfants engloutis par un trou d'eau” at [http://www.blinkx.com/ce/AaQQt7PABrJNUr9f\\_e1x1iLQQWFRUXQ3UEFCckpOVXI5ZI9lMXgxaUxRQWFRUXQ3UEFCckpOVXI](http://www.blinkx.com/ce/AaQQt7PABrJNUr9f_e1x1iLQQWFRUXQ3UEFCckpOVXI5ZI9lMXgxaUxRQWFRUXQ3UEFCckpOVXI).

Defendant’s video, at both links, consists entirely of content taken from Jukin’s Original Video. Upon information and belief, Defendant did not obtain permission from the video creator to post the video prior to its acquisition by Jukin.

Defendant never obtained permission from Jukin to post the video. Jukin retains enforcement rights on behalf of the creator.

39. **INFRINGED VIDEO #7:** Jukin acquired rights to “Attempted Car Thief Hits Self in Head with Brick” on February 27, 2015, available at <https://www.youtube.com/watch?v=jdQw9dGrAEU> and incorporated by reference. Jukin subsequently republished this video on its own channel.

40. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2500717302, and is awaiting issuance of the registration.

41. On February 3, 2015, Defendant posted a video under the following two titles and at the following two websites, incorporated by reference herein:

- a. “Versuchter Mercedes-Klau endet mit Kopfschmerzen” at <http://www.msn.com/de-de/video/ansehen/versuchter-mercedes-klau-endet-mit-kopfschmerzen/vp-BBi8rBs>; and
- b. “El intento de robo de un Mercedes acaba así de mal” at <http://tu.tv/videos/el-intento-de-robo-de-un-mercedes-acaba>.

Defendant’s video, at both links, copies the entirety of Jukin’s Original Video. Upon information and belief, Defendant did not obtain permission from the video creator to post the video prior to its acquisition by Jukin. Defendant never obtained permission from Jukin to post the video. Jukin retains enforcement rights on behalf of the creator.

42. **INFRINGED VIDEO #8:** Jukin acquired rights to “Huge Spider Hides in Toilet” on March 19, 2015, available at <https://www.youtube.com/watch?v=FM1hhKgg434> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

43. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2500716761, and is awaiting issuance of the registration.

44. Defendant posted a video under the following four titles and at the following four websites, incorporated by reference herein:

- a. “Il tire la chasse et tombe sur quelque chose d'atroce!” at [http://www.blinkx.com/ce/WaQvybiUh1zgtrwOvX0EsUywV2FRdnliaVVoMXpndHJ3T3ZYMEVzVXl3V2FRdnliaVVoMXpndHJ](http://www.blinkx.com/ce/WaQvybiUh1zgtrwOvX0EsUywV2FRdnliaVVoMXpndHJ3T3ZYMEVzVXl3V2FRdnliaVVoMXpndHJ;);
- b. “Il tire la chasse et tombe sur quelque chose d'atroce!” at [http://www.blinkx.com/ce/JaQ7OdImPoOebOY81\\_yKYIWgSmFRN09kSW1Qb09FYk9ZODFfeUtZSVdnSmFRN09kSW1Qb09FYk9](http://www.blinkx.com/ce/JaQ7OdImPoOebOY81_yKYIWgSmFRN09kSW1Qb09FYk9ZODFfeUtZSVdnSmFRN09kSW1Qb09FYk9);
- c. “Il tire la chasse et tombe sur quelque chose d'atroce!” at <https://screen.yahoo.com/zoomin-videos/il-tire-la-chasse-et-115700660.html>; and
- d. “Horror unter der Brille: Riesenspinne besetzt Toilette,” at <http://www.msn.com/de-de/video/ansehen/horror-unter-der-brille-riesenspinne-besetzt-toilette/vp-AA9sm2e>

Defendant’s video, at all four links, copies the entirety of Jukin’s Original Video. Upon information and belief, Defendant did not obtain permission from the video creator to post the video prior to its acquisition by Jukin. Defendant never obtained permission from Jukin to post the video. Jukin retains enforcement rights on behalf of the creator.

45. **INFRINGEMENT VIDEO #9:** Jukin acquired rights to “Baby Duck Struggles to Stay Awake” on April 13, 2015, available at [https://www.youtube.com/watch?v=zvAMy\\_6-xEU](https://www.youtube.com/watch?v=zvAMy_6-xEU) and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

46. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690629233, and is awaiting issuance of the registration.

47. On April 8, 2015, Defendant posted a video entitled “Relaxen im Park: Küken kämpft gegen Schlaf an” at

1 <http://www.blinkx.com/ce/QaQm2XRkE5MhiVt94m8Sid1wUWFRbTJYUmtFNU>  
 2 [1oaVZ0OTRtOFNpZDF3UWFRbTJYUmtFNU1oaVZ](http://www.blinkx.com/ce/QaQm2XRkE5MhiVt94m8Sid1wUWFRbTJYUmtFNU), incorporated by reference  
 3 herein. Defendant's video copies the entirety of Jukin's Original Video. Upon  
 4 information and belief, Defendant did not obtain permission from the video creator  
 5 to post the video prior to its acquisition by Jukin. Defendant never obtained  
 6 permission from Jukin to post the video. Jukin retains enforcement rights on behalf  
 7 of the creator.

8 48. **INFRINGEMENT #10:** Jukin acquired rights to "Pet Pig Doesn't  
 9 Like to Cuddle" on April 2, 2015, available at  
 10 <https://www.youtube.com/watch?v=eIrs7TT4hhc> and incorporated by reference  
 11 herein. Jukin subsequently republished this video on its own channel.

12 49. Jukin also filed an application for copyright registration with the  
 13 United States Copyright Office for this video, application case number 1-  
 14 2500675380, and is awaiting issuance of the registration.

15 50. On April 9, 2015, Defendant posted a video entitled "PORQUINHA  
 16 EMITE RUÍDO HILÁRIO AO RECEBER CARINHO" at  
 17 [http://www.zoomin.tv/site/video.cfm/lang/br-](http://www.zoomin.tv/site/video.cfm/lang/br-pt/video/679397/refcat/Bichos/Porquinha-emite-ruido-hilariao-ao-receber-carinho)  
 18 [pt/video/679397/refcat/Bichos/Porquinha-emite-ruido-hilariao-ao-receber-carinho](http://www.zoomin.tv/site/video.cfm/lang/br-pt/video/679397/refcat/Bichos/Porquinha-emite-ruido-hilariao-ao-receber-carinho),  
 19 incorporated by reference herein. Defendant's video copies the entirety of Jukin's  
 20 Original Video.

21 51. **INFRINGED VIDEO #11:** Jukin acquired rights to "Dad Pulls Son's  
 22 Baby Tooth with Chevy Camaro" on April 7, 2015, available at  
 23 <https://www.youtube.com/watch?v=imtLQS2W7CA> and incorporated by reference  
 24 herein. Jukin subsequently republished this video on its own channel.

25 52. Jukin also filed an application for copyright registration with the  
 26 United States Copyright Office for this video, application case number 1-  
 27 2500716674, and is awaiting issuance of the registration.

28 53. On April 10, 2015, Defendant posted a video under the following

titles and at the following websites, incorporated by reference herein:

- a. “Tous les moyens sont bons pour arracher une dent!” at <http://www.blinkx.com/ce/raQNkICVw4hlY5bvZrRsAHXwcmFRTmtJQ1Z3NGhsWTVidlpYUnNBSFh3cmFRTmtJQ1Z3NGhsWTV>;
- b. “Tous les moyens sont bons pour arracher une dent!” at [http://www.blinkx.com/ce/\\_aQa9VDQ889BC3NasHC4qatAX2FRYTIWRFE4ODICQzNOYXNIQzRxYXRBX2FRYTIWRFE4ODICQzN](http://www.blinkx.com/ce/_aQa9VDQ889BC3NasHC4qatAX2FRYTIWRFE4ODICQzNOYXNIQzRxYXRBX2FRYTIWRFE4ODICQzN);
- c. “Tous les moyens sont bons pour arracher une dent!” at <https://screen.yahoo.com/zoomin-videos/tous-les-moyens-sont-bons-092300568.html>;
- d. “Tous les moyens sont bons pour arracher une dent!” at <http://www.zoomin.tv/site/video.cfm/lang/be-fr/video/679595/refcat/Insolite/Tous-les-moyens-sont-bons-pour-arracher-une-dent->;
- e. “Autsch: Junge bekommt Zahn mit Sportwagen gezogen,” at <http://www.blinkx.com/ce/0aQE68pXhGG9CpDcxwxg1CAQMGFRRTY4cFhoR0c5Q3BEY3h3eGcxQ0FRMGFRRTY4cFhoR0c5Q3B>;
- f. “Autsch: Junge bekommt Zahn mit Sportwagen gezogen,” and at <http://www.msn.com/de-de/video/ansehen/autsch-junge-bekommt-zahn-mit-sportwagen-gezogen/vp-AAaEgXT>; and
- g. “TÉCNICA AUTOMOVILÍSTICA PARA SACAR UN DIENTE” at <http://www.zoomin.tv/site/video.cfm/lang/la-la/video/679679/refcat/curiosidades/Tecnica-automovilistica-para-sacar-un-diente>.

Defendant’s video, at all seven links, consists entirely of content taken from

Jukin's Original Video.

54. **INFRINGEMENT VIDEO #12:** Jukin acquired rights to "Rally Car Flips and Almost Hits Spectators" on April 2, 2015, available at <https://www.youtube.com/watch?v=HN-N2Y0bPkw> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

55. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2533761592, and is awaiting issuance of the registration.

56. On April 2, 2015, Defendant posted a video entitled "Höchste Gefahr: Rallyeauto außer Kontrolle" at <http://www.msn.com/de-de/video/ansehen/h%C3%B6chste-gefahr-rallyeauto-au%C3%9Fer-kontrolle/vp-AAalwCD>, incorporated by reference herein. Defendant's video copies the entirety of Jukin's Original Video.

57. **INFRINGEMENT VIDEO #13:** Jukin acquired rights to "Physics Teacher Takes Ax to Nuts" on April 3, 2015, available at [https://www.youtube.com/watch?v=FyDiH\\_JC68w](https://www.youtube.com/watch?v=FyDiH_JC68w) and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

58. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690629530, and is awaiting issuance of the registration.

59. On April 8, 2015, Defendant posted a video under the following titles and at the following websites, incorporated by reference herein:

- a. "Autsch!: Lehrer schlägt mit Axt auf Schüler ein" at [http://www.myvideo.de/watch/11850344/Autsch\\_Lehrer\\_schlaegt\\_mit\\_Axt\\_auf\\_Schueler\\_ein](http://www.myvideo.de/watch/11850344/Autsch_Lehrer_schlaegt_mit_Axt_auf_Schueler_ein);
- b. "Autsch!: Lehrer schlägt mit Axt auf Schüler ein" at <http://www.msn.com/de-de/video/ansehen/autsch-lehrer-schl%C3%A4gt-mit-axt-auf-sch%C3%BCler-ein/vp-AAajrQE>;

- c. “PROFESSOR ACERTA "PARTES BAIXAS" DE ALUNO COM MACHADO” at <http://www.zoomin.tv/site/video.cfm/lang/br-pt/video/678453/refcat/verparacer/Professor-acerta-and-quotpartes-baixas-and-quot-de-aluno-com-machado;>
- d. “Ce prof sait très bien comment vous les casser!,” at [http://www.blinkx.com/ce/caQdh8d-iGQ5XChBeSAys\\_ZwY2FRZGg4ZC1pR1E1WENoQmVTQXlzX1p3Y2FRZGg4ZC1pR1E1WEN;](http://www.blinkx.com/ce/caQdh8d-iGQ5XChBeSAys_ZwY2FRZGg4ZC1pR1E1WENoQmVTQXlzX1p3Y2FRZGg4ZC1pR1E1WEN;)
- e. “Ce prof sait très bien comment vous les casser!,” at <http://www.blinkx.com/ce/ZaQtb1gVGV9pX7uonYFLoMIwWmFRdGIxZ1ZHVjWWDd1b25ZRkxvTUI3WmFRdGIxZ1ZHVjWWDd;>
- f. “Ce prof sait très bien comment vous les casser!,” at <https://screen.yahoo.com/zoomin-videos/ce-prof-sait-tr%C3%AAs-bien-150200880.html>; and
- g. “EXPERIMENT MIT AXT Physik-Lehrer trifft Schüler da, wo es besonders wehtut,” at <http://www.bild.de/video/clip/virale-videos/physiklehrer-haut-zu-zoomin-40394976,auto=true.bild.html>.

Defendant’s video, at all seven links, consists entirely of content taken from Jukin’s Original Video.

60. **INFRINGED VIDEO #14:** Jukin acquired rights to “Deer Hops Fence to Break into Backyard” on April 8, 2015, available at <https://www.youtube.com/watch?v=geR3PIx1A9s> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

61. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-



2513769392, and is awaiting issuance of the registration.

62. On April 9, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein:

- a. “Une biche, championne de saut d'obstacles!” at <http://www.blinkx.com/ce/AaQ-ExrL0oXLBIhXVZ-F0Y8AQWFRLUV4ckwwb1hMQkloWFZaLUYwWThBQWFRLUV4ckwwb1hMQkl;>
- b. “Une biche, championne de saut d'obstacles!” at <https://screen.yahoo.com/zoomin-videos/une-biche-championne-saut-dobstacles-145300603.html;>
- c. “Verirrt: Reh springt über Gartenzäune,” at [http://www.blinkx.com/ce/baQSja0Y52-1GppZ3dobS\\_wgYmFRU2phMFk1Mi0xR3BwWjNkb2JTX3dnYmFRU2phMFk1Mi0xR3B;](http://www.blinkx.com/ce/baQSja0Y52-1GppZ3dobS_wgYmFRU2phMFk1Mi0xR3BwWjNkb2JTX3dnYmFRU2phMFk1Mi0xR3B;)
- d. “Verirrt: Reh springt über Gartenzäune,” at <http://www.zoomin.tv/site/video.cfm/lang/de-de/video/679418/refcat/Tiere/Verirrt-Reh-springt-ueber-Gartenzaeune;>
- e. “Verirrt: Reh springt über Gartenzäune,” at <http://www.msn.com/de-de/video/ansehen/verirrt-reh-springt-%C3%BCber-gartenz%C3%A4une/vp-AAaD1V3;>
- f. “UN CIERVO MUY HOGAREÑO” at <http://www.zoomin.tv/site/video.cfm/lang/es-es/video/679476/refcat/Curiosidades/Un-ciervo-muy-hogareno;>
- g. “UN CIERVO MUY HOGAREÑO” at [http://www.dalealplay.es/videos/Un-ciervo-muy-hogareno\\_592698;](http://www.dalealplay.es/videos/Un-ciervo-muy-hogareno_592698;)
- h. “UN CIERVO MUY HOGAREÑO” at <http://tu.tv/videos/un->

1 ciervo-muy-hogareno;

- 2 i. “UN VENADITO PERDIDO EN LOS SUBURBIOS” at  
 3 [http://www.zoomin.tv/site/video.cfm/lang/la-](http://www.zoomin.tv/site/video.cfm/lang/la-la/video/679480/refcat/Animales/Un-venadito-perdido-en-los-suburbios)  
 4 [la/video/679480/refcat/Animales/Un-venadito-perdido-en-los-](http://www.zoomin.tv/site/video.cfm/lang/la-la/video/679480/refcat/Animales/Un-venadito-perdido-en-los-suburbios)  
 5 [suburbios](http://www.zoomin.tv/site/video.cfm/lang/la-la/video/679480/refcat/Animales/Un-venadito-perdido-en-los-suburbios); and  
 6 j. “Tierische Gymnastik im Garten - Dieses Reh nimmt jede  
 7 Hürde” at [http://www.bild.de/video/clip/virale-videos/reh-](http://www.bild.de/video/clip/virale-videos/reh-ueber-gartenzaun-zoomin-40478026,auto=true.bild.html)  
 8 [ueber-gartenzaun-zoomin-40478026,auto=true.bild.html](http://www.bild.de/video/clip/virale-videos/reh-ueber-gartenzaun-zoomin-40478026,auto=true.bild.html).

9 Defendant’s video, at all ten links, consists entirely of content taken from Jukin’s  
 10 Original Video.

11 63. **INFRINGEMENT VIDEO #15:** Jukin acquired rights to “Guy Gets Rear-  
 12 Ended into Oncoming Truck” on April 11, 2015, available at  
 13 <https://www.youtube.com/watch?v=tADvFcj7Cm4> and incorporated by reference  
 14 herein. Jukin subsequently republished this video on its own channel.

15 64. Jukin also filed an application for copyright registration with the  
 16 United States Copyright Office for this video, application case number 1-  
 17 2500716976, and is awaiting issuance of the registration.

18 65. On April 13, 2015, Defendant posted a video entitled “Rundumblick:  
 19 Mega-Crash aus zwei Blickwinkeln” at [http://www.msn.com/de-](http://www.msn.com/de-de/video/ansehen/rundumblick-mega-crash-aus-zwei-blickwinkeln/vp-AAaWfjA)  
 20 [de/video/ansehen/rundumblick-mega-crash-aus-zwei-blickwinkeln/vp-AAaWfjA](http://www.msn.com/de-de/video/ansehen/rundumblick-mega-crash-aus-zwei-blickwinkeln/vp-AAaWfjA),  
 21 and incorporated by reference herein. Defendant’s video copies the entirety of  
 22 Jukin’s Original Video.

23 66. **INFRINGEMENT VIDEO #16:** Jukin acquired rights to “Silverback  
 24 Gorilla Cracks Protective Glass at Zoo” on April 16, 2015, available at  
 25 <https://www.youtube.com/watch?v=KK67kaMWN-8> and incorporated by  
 26 reference herein. Jukin subsequently republished this video on its own channel.

27 67. Jukin also filed an application for copyright registration with the  
 28 United States Copyright Office for this video, application case number 1-

2690658707, and is awaiting issuance of the registration.

68. Defendant posted a video entitled “Affen-Attacke im Zoo” at <http://www.bild.de/video/clip/tierattacken/riesengorilla-rastet-aus-jukin-40599914,auto=true.bild.html> and incorporated by reference herein. Defendant’s video copies the entirety of Jukin’s Original Video.

69. **INFRINGED VIDEO #17:** Jukin acquired rights to “Boring Office Job GoPro Commercial” on April 20, 2015, available at <https://www.youtube.com/watch?v=VudWv9pQNdE> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

70. On May 8, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein:

- a. “GoPro-Spaß mal anders: Ein Tag im Büro” at <http://www.blinkx.com/ce/QaQP6a2DntK1ANzRrw4gNjmAUWFRUDZhMkRudEsxQU56UnJ3NGdOam1BUWFRUDZhMkRudEsxQU5>; and
- b. “UNA CÁMARA REGISTRA EL ABURRIMIENTO EN LA OFICINA” at <http://www.zoomin.tv/site/video.cfm/lang/la-la/video/681807/refcat/curiosidades/Una-camara-registra-el-aburrimiento-en-la-oficina>.

Defendant’s video, at both links, consists entirely of content taken from Jukin’s Original Video.

71. **INFRINGED VIDEO #18:** Jukin acquired rights to “Stranger Surprises NYC Subway Vendor with \$140” on April 20, 2015, available at <https://www.youtube.com/watch?v=yVzAC7mLxJw>, and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

72. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690658864, and is awaiting issuance of the registration.

73. On April 23, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein:

- a. “Heart-Warming: Act Generosity Brings Woman to Tears” at <http://on.aol.com/video/heart-warming--act-generosity-brings-woman-to-tears-518784034>;
- b. “Heart-Warming: Act Generosity Brings Woman to Tears” at <http://www.zoomin.tv/site/video.cfm/lang/us-en/video/681726/refcat/Offbeat/Heart-warming-Act-of-generosity-brings-woman-to-tears>;
- c. “Heart-Warming: Act Generosity Brings Woman to Tears” at [http://www.dailymotion.com/video/x2nn9sj\\_heart-warming-act-generosity-brings-woman-to-tears\\_fun](http://www.dailymotion.com/video/x2nn9sj_heart-warming-act-generosity-brings-woman-to-tears_fun);
- d. “Ein echter Rosenkavalier: Mann rührt Frau zu Tränen” at <http://www.blinkx.com/ce/yaQ617-rpHNnwQ9rVQqmjTdQeWFRNjE3LXJwSE5ud1E5clZRcW1qVGRReWFRNjE3LXJwSE5ud1E>;
- e. “Miracle dans le métro 6, aujourd'hui!” at <https://screen.yahoo.com/zoomin-videos/miracle-dans-le-m%C3%A9tro-6-101500027.html>; and
- f. “Rührende Geste im Video: Mann kauft armer Frau 140 Rosen ab” at <http://www.bild.de/video/clip/virale-videos/140-rosen-viral-zoomin-40692248,auto=true.bild.html>.

Defendant’s video, at all six links, copies the entirety of Jukin’s Original Video.

74. **INFRINGEMENT VIDEO #19:** Jukin acquired rights to “Beautiful Chimney Tower Demolition” on April 21, 2015, available at <https://www.youtube.com/watch?v=nALWXDQDGVQ> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

75. Jukin also filed an application for copyright registration with the

United States Copyright Office for this video, application case number 1-2500717302, and is awaiting issuance of the registration.

76. Defendant posted a video entitled “Sprengung missglückt - Industrie-Schornstein fällt in Fluss” at <http://www.bild.de/video/clip/sprengung/sprengung-40618978,auto=true.bild.html> and incorporated by reference herein. Defendant’s video consists entirely of content taken from Jukin’s Original Video.

77. **INFRINGED VIDEO #20:** Jukin acquired rights to “Puppy Tries to Bark Away the Hiccups” on April 29, 2015, available at <https://www.youtube.com/watch?v=WoCbrq3VHVw> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

78. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number [[number here]], and is awaiting issuance of the registration.

79. On May 8, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein:

- a. “Tierisch: Überrascht vom eigenen Schluckauf” at <http://www.blinkx.com/ce/waQpJqfLYHfTNn7pwmgbVGrgd2FRcEpxZkxZSGZUTm43cHdtZ2JWR3Jnd2FRcEpxZkxZSGZUTm4; and>
- b. “Tierisch: Überrascht vom eigenen Schluckauf” at <http://www.msn.com/de-de/video/ansehen/tierisch-%C3%BCberrascht-vom-eigenen-schluckauf/vp-BBj0KiP>.

Defendant’s video, at both links, consists entirely of content taken from Jukin’s Original Video.

80. **INFRINGED VIDEO NO. #21:** Jukin acquired the rights to “Camaro Driver Attempts Burnout and Knocks” on June 3, 2015, available at <https://www.youtube.com/watch?v=7EocDUQyrxo> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

81. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2534073680, and is awaiting issuance of the registration.

82. On June 11, 2015, Defendant posted a video under the following title and at the following link, incorporated by reference herein 'Burnout'-Blamage: Angeber crasht Laterne, available at <http://zoomin.tv/#!/v/688346>. Defendant's video consists entirely of content taken from Jukin's Original Video.

83. **INFRINGEMENT VIDEO NO. #22:** Jukin acquired the rights to "Moose Play in the Sprinkler" on June 2, 2015, available at <https://www.youtube.com/watch?v=GTV-gBI8OBo> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

84. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2511162909, and is awaiting issuance of the registration.

85. On June 11, 2015, Defendant posted a video under the following title and at the following link, incorporated by reference herein Verspielt: Elchtanz im Garten available at <http://www.msn.com/de-de/video/ansehen/verspielt-elchtanz-im-garten/vp-BBkyW4c>. Defendant's video, at both links, consists entirely of content taken from Jukin's Original Video.

86. **INFRINGEMENT VIDEO NO. #23:** Jukin acquired the rights to "Guy Uses His Hands as Makeshift Birdbath for Pet Finch" on June 4, 2015, available at [https://www.youtube.com/watch?v=JVnT6W8i\\_K8](https://www.youtube.com/watch?v=JVnT6W8i_K8) and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

87. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2511162956, and is awaiting issuance of the registration.

88. On May 27, 2015, Defendant posted a video under the following title and at the following link, incorporated by reference herein: Badefreuden: Stieglitz

plantscht in Hände-Pool, available at <http://zoomin.tv/#!/v/686947>. Defendant's video consists entirely of content taken from Jukin's Original Video. Upon information and belief, Defendant did not obtain permission from the video creator to post the video prior to its acquisition by Jukin. Defendant never obtained permission from Jukin to post the video. Jukin retains enforcement rights on behalf of the creator.

89. **INFRINGED VIDEO NO. #24:** Jukin acquired the rights to "Service Dogs Helps Owner through Meltdown" on June 16, 2015, available at <https://www.youtube.com/watch?v=0M7PuuukzxY> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

90. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690659100, and is awaiting issuance of the registration.

91. On June 18, 2015, Defendant posted a video under the following title and at the following link, incorporated by reference herein: Asperger-Syndrom: Hund wirkt als Ruhepol, available at <http://zoomin.tv/#!/v/690260>. Defendant's video consists entirely of content taken from Jukin's Original Video.

92. **INFRINGED VIDEO NO. #25:** Jukin acquired the rights to "Dog Plays Piano and Sings" on May 30, 2011, available at <https://www.youtube.com/watch?v=PibIYasnzWE> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

93. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690659137, and is awaiting issuance of the registration.

94. On July 12, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein:

- a. Chopin a quattro zampe, available at <http://zoomin.tv/#!/v/694501>;



b. Hond alleen thuis gaat los op piano, available at  
<http://zoomin.tv/#!/v/694522>;

c. Perrito se cree Elton John cantando al piano; available at  
<http://zoomin.tv/#!/v/694615>;

d. عزف ويد غني على الد يادوك لب ي, available at  
<http://zoomin.tv/#!/v/694673>.

Defendant's video consists entirely of content taken from Jukin's Original Video.

95. **INFRINGEMENT VIDEO NO. #26:** Jukin acquired the rights to "Monkey Gets Ready for Mother's Day" on June 22, 2015, available at <https://www.youtube.com/watch?v=3HuRsV9f7mU> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

96. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690659384, and is awaiting issuance of the registration.

97. On June 26, 2015, Defendant posted a video under the following title and at the following link, incorporated by reference herein: Um macaquinho muito fofo sendo higienizado, available at <http://zoomin.tv/#!/v/692200>. Defendant's video consists entirely of content taken from Jukin's Original Video.

98. **INFRINGEMENT VIDEO NO. #27:** Jukin acquired the rights to "Truck destroys highway sign" on August 18, 2015, available at <https://www.youtube.com/watch?v=mmTMmuT7fdI> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

99. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690795736, and is awaiting issuance of the registration.

100. On August 17, 2015, Defendant posted a video under the following title and at the following link, incorporated by reference herein:

a. "Deze trucker had zijn laadbak deter wat lager gezet" available

at <http://zoomin.tv/#!/v/699837>. Defendant's video consists entirely of content taken from Jukin's Original Video. Jukin retains screenshots of the infringement.

b. "Krasse kollision: Kiplaster crasht Autobahnschild" available at <http://zoomin.tv/#!/v/699772>. Defendant's video consists entirely of content taken from Jukin's Original Video. Jukin retains screenshots of the infringement.

c. "Truck ramt verkeersbord aan gord op snelweg" available at <http://zoomin.tv/#!/v/699832>. Defendant's video consists entirely of content taken from Jukin's Original Video. Jukin retains screenshots of the infringement.

101. Upon information and belief, Defendant did not obtain permission from the video creator to post the video prior to its acquisition by Jukin. Defendant never obtained permission from Jukin to post the video. Jukin retains enforcement rights on behalf of the creator.

102. **INFRINGED VIDEO NO. #28:** Jukin acquired the rights to "Puppy Experiences Air Conditioning for First Time" on July 6, 2015, available at <https://www.youtube.com/watch?v=qsbiCSWC7eo> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

103. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690659498, and is awaiting issuance of the registration.

104. On July 7, 2015, Defendant posted a video under the following title and at the following link, incorporated by reference herein: Airco-Dog: Hund steht total auf Klimaanlage at [http://www.blinkx.com/ce/haQPxi\\_gGVljLNo3sxihE8jAaGFRUHhpX2dHVmxqTE5vM3N4aWhFOGpBaGFRUHhpX2dHVmxqTE5](http://www.blinkx.com/ce/haQPxi_gGVljLNo3sxihE8jAaGFRUHhpX2dHVmxqTE5vM3N4aWhFOGpBaGFRUHhpX2dHVmxqTE5). Defendant's video consists entirely of content taken from Jukin's Original Video.

105. **INFRINGED VIDEO NO. #29:** Jukin acquired the rights to "Girl Gets Tossed from Boat and Hits Neck on Railing" on July 7, 2015, available at <https://www.youtube.com/watch?v=bvhaerEsAd8> and incorporated by reference

1 herein. Jukin subsequently republished this video on its own channel.

2 106. Jukin also filed an application for copyright registration with the  
3 United States Copyright Office for this video, application case number 1-  
4 2690724295, and is awaiting issuance of the registration.

5 107. On July 28, 2015, Defendant posted a video under the following title  
6 and at the following link, incorporated by reference herein: Como NÃO jogar uma  
7 menina na água, available at <http://zoomin.tv/#!/v/696747>. Defendant's video  
8 consists entirely of content taken from Jukin's Original Video.

9 108. **INFRINGED VIDEO NO. #30:** Jukin acquired the rights to "High  
10 School Reunion Goers Play Hilarious Balloon Popping Race" on July 31, 2015,  
11 available at <https://www.youtube.com/watch?v=bvhaerEsAd8> and incorporated by  
12 reference herein. Jukin subsequently republished this video on its own channel.

13 109. Jukin also filed an application for copyright registration with the  
14 United States Copyright Office for this video, application case number 1-  
15 2690795619, and is awaiting issuance of the registration.

16 110. On July 31, 2015, Defendant posted a video under the following title  
17 and at the following link, incorporated by reference herein: Schräges Rammel-  
18 Spiel: Der Hit auf dieser Gartenparty available at [http://www.msn.com/de-](http://www.msn.com/de-de/video/ansehen/schr%C3%A4ges-rammel-spiel-der-hit-auf-dieser-gartenparty/vp-BBIfSBD)  
19 [de-de/video/ansehen/schr%C3%A4ges-rammel-spiel-der-hit-auf-dieser-](http://www.msn.com/de-de/video/ansehen/schr%C3%A4ges-rammel-spiel-der-hit-auf-dieser-gartenparty/vp-BBIfSBD)  
20 [gartenparty/vp-BBIfSBD](http://www.msn.com/de-de/video/ansehen/schr%C3%A4ges-rammel-spiel-der-hit-auf-dieser-gartenparty/vp-BBIfSBD). Defendant's video consists entirely of content taken  
21 from Jukin's Original Video.

22 111. **INFRINGED VIDEO NO. #31:** Jukin acquired the rights to "Bikers  
23 Crash into Support Vehicles during Race" on August 9, 2015, available at  
24 <https://www.youtube.com/watch?v=PibLYasnzWE> and incorporated by reference  
25 herein. Jukin subsequently republished this video on its own channel.

26 112. Jukin also filed an application for copyright registration with the  
27 United States Copyright Office for this video, application case number 1-  
28 2690795736, and is awaiting issuance of the registration.

113. On August 10, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein:

- a. Espectacular accidente en el Tour de Utah, available at <http://zoomin.tv/#!/v/698751>;
- b. Un crash violent perturbe le Tour de l'Utah, available at <http://zoomin.tv/#!/v/698878>;
- c. Un crash violent perturbe le Tour de l'Utah; available at <http://zoomin.tv/#!/v/698879>; and
- d. Wielrennnner maakt horrorcrash, available at <http://zoomin.tv/#!/v/699004>.

Defendant's videos consist entirely of content taken from Jukin's Original Video.

114. **INFRINGEMENT VIDEO NO. #32:** Jukin acquired the rights to "Pet the lamb playing with the dogs" on February 5, 2015, available at <https://www.youtube.com/watch?v=o8dLhySqMg4> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

115. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690628836, and is awaiting issuance of the registration.

116. On June 2, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein: Schaf denkt, es war eind Hund, available at <http://www.bild.de/news/ausland/schaf/denkt-es-waere-ein-hund-39626790.bild.html>. Defendant's video consists entirely of content taken from Jukin's Original Video.

117. **INFRINGEMENT VIDEO NO. #33:** Jukin acquired the rights to "Surfer Girl Goes for Wild Ride" on June 25, 2015, available at [http://www.dailymotion.com/video/x2skado\\_surfer-girl-goes-for-wild-ride\\_fun](http://www.dailymotion.com/video/x2skado_surfer-girl-goes-for-wild-ride_fun) and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

118. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690658972, and is awaiting issuance of the registration.

119. June 3, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein: Surfer girl goes for wild ride available at [http://www.dailymotion.com/video/x2skado\\_surfer-girl-goes-for-wild-ride\\_fun](http://www.dailymotion.com/video/x2skado_surfer-girl-goes-for-wild-ride_fun). Defendant's video consists entirely of content taken from Jukin's Original Video. Upon information and belief, Defendant did not obtain permission from the video creator to post the video prior to its acquisition by Jukin. Defendant never obtained permission from Jukin to post the video. Jukin retains enforcement rights on behalf of the creator.

120. **INFRINGEMENT VIDEO NO. #34:** Jukin acquired the rights to "Groomsman Backflips Into Bridesmaid at Wedding" on July 21, 2015, available at <https://www.youtube.com/watch?v=1I6Vm1m4Bxc> and incorporated by reference herein. Jukin subsequently republished this video on its own channel.

121. Jukin also filed an application for copyright registration with the United States Copyright Office for this video, application case number 1-2690724372, and is awaiting issuance of the registration.

122. July 20, 2015, Defendant posted a video under the following titles and at the following links, incorporated by reference herein:

a. "Lo que no hay que hacer en una boda" available at <http://zoomin.tv/#!/v/696233>.

b. "Umwerfende Hochzeit: Bräutigam tritt Braut k.o." available at <http://zoomin.tv/#!/v/695668>.

c. "عريس م تحمس جدا ي صيب عروس ته اذ ناء الرقص" available at <http://zoomin.tv/#!/v/696267>.

123. Defendant's videos consist entirely of content taken from Jukin's Original Video. Upon information and belief, Defendant did not obtain permission

1 from the video creator to post the video prior to its acquisition by Jukin.

2 Defendant never obtained permission from Jukin to post the video. Jukin retains  
 3 enforcement rights on behalf of the creator.

4 124. Defendant does not have any license, authorization, permission, or  
 5 consent from Jukin to use any of the Original Videos.

6 125. On information and belief, Defendant did not obtain any license,  
 7 authorization, permission, or consent from the individual video creators to use the  
 8 Original Videos. Even if Defendant had obtained authorization from the individual  
 9 video creators, this authorization is invalid if it was obtained after Jukin acquired  
 10 the rights to the videos.

11 126. Defendant directly violated Jukin's exclusive rights under the  
 12 Copyright Act, because on information and belief, Defendant directed or controlled  
 13 the uploading of the Infringing Videos. Defendant also engaged in contributory  
 14 copyright infringement by inducing, causing, and materially contributing to the  
 15 infringing conduct. Alternatively, on information and belief, Defendant is  
 16 vicariously liable for copyright infringement because it enjoyed a direct financial  
 17 benefit from the infringement and had the right and ability to supervise the  
 18 infringing activity.

19 127. Defendant enjoys no "safe harbor" protection under the DMCA  
 20 because upon information and belief (a) the transmission of the videos to the  
 21 various websites was initiated by or at the direction of Defendant and/ or  
 22 Defendant's agents and (b) the transmission of the videos to the various websites is  
 23 carried out through Defendant's or Defendant's agents' selection of the material.

24 **Harm Caused by the Infringement;**

25 **Jukin's Efforts to Stop Defendant's Infringement**

26 128. As described above, Defendant has engaged in dozens of instances of  
 27 infringement of Jukin's Original Videos.

28 129. Both Jukin and the individual video creators are harmed by



Defendant's infringement. For example, the infringement causes them to lose license fees that Defendant should have paid for use of the videos, as well as losing the ability to monetize the videos through ad placement and the revenue derived from the network effects of viewers coming to Jukin-owned and managed properties to view the Jukin content (e.g. repeated viewing within Jukin's channels, conversion of single-time viewers to long-term subscribers, etc.).

130. Since Defendant is either using the entire Jukin videos or is using the most significant and valuable portions of Jukin's videos, after viewers watch the Infringing Videos, they are unlikely to go to Jukin's channels to watch the Original Videos. As such, Jukin is losing views on its own channels and is missing out on capturing potential new viewers who otherwise may have watched the videos on Jukin's channels and become repeat viewers. While Jukin derives significant market value from its licenses, Defendant's actions produce an adverse effect to the licensing market by exposing the material to a significant number of viewers who no longer have a need to view the video from Jukin or Jukin licensee.

131. As mentioned above, the Infringing Videos are not attributed to Jukin or to the original creator of the video content. However, even if Defendant did attribute some of the videos to Jukin, this does not undo Defendant's infringement, nor is it acceptable to Jukin.

### **FIRST CLAIM FOR RELIEF**

#### **COPYRIGHT INFRINGEMENT (17 U.S.C. §§ 106 and 501)**

132. Jukin incorporates and references the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

133. Defendant has infringed Jukin's copyrights in the Original Videos in violation of Sections 106 and 501 of the Copyright Act, 17 U.S.C. §§ 106 and 501 by copying videos owned or exclusively licensed by Jukin without a license or permission.

134. Defendant's acts of infringement are willful, intentional, continuous,



and purposeful, in disregard of and with indifference to Jukin's rights.

135. As a direct and proximate result of said infringement by Defendant, Jukin is entitled to damages in an amount to be proven at trial.

136. Jukin is also entitled to Defendant's profits attributable to the infringement, pursuant to 17 U.S.C. § 505 and otherwise according to law.

137. Jukin is entitled to injunctive relief and redress for Defendant's willful, intentional, and purposeful use and exploitation of the Jukin Original Videos for its own financial benefit with full knowledge that such use constituted infringement of, and was in disregard of, Jukin's rights. Defendant's conduct is causing and, unless immediately enjoined, will continue to cause enormous and irreparable harm to Jukin. Jukin is suffering lost revenue from loss of licensing fees, decreased monetization via YouTube viewers diverted to Defendant's site, and reputational harm. Defendant may not continue to exploit Jukin's video compositions without authorization. Defendant's conduct must immediately be stopped and Jukin must be compensated for its willful acts of infringement.

138. As a direct and proximate result of the foregoing acts and conduct, Jukin has sustained and will continue to sustain substantial, immediate, and irreparable injury, for which there is no adequate remedy at law. Jukin is informed and believes, and on that basis avers, that unless enjoined and restrained by this Court, Defendant will continue to infringe Jukin's rights in the Original Videos. Jukin Media is entitled to preliminary and permanent injunctive relief to restrain and enjoin Defendants' continuing infringing conduct.

## **SECOND CLAIM FOR RELIEF**

### **UNFAIR COMPETITION (Cal. Bus. & Prof. Code § 17200 et seq.)**

139. Jukin incorporates and references the allegations asserted in each of the preceding paragraphs, as if fully set forth herein.

140. Upon information and belief, Defendant has engaged in unfair competition by utilizing unfair, deceptive, and fraudulent business practices in its

direction of or acquiescence to routinely posting infringing content on the Internet and potentially other means of Defendant's digital distribution.

141. Upon information and belief, Defendant has engaged in unfair competition by intentionally tracking Jukin's video posting behaviors and copying its videos shortly after they are published, at the time when they are most likely to be monetized, and with the same or similar target audience as Jukin with the intent to directly affect Jukin's business and siphon viewers to Defendant's digital properties.

142. Defendant's fraudulent and deceptive acts of unfair competition are willful, intentional, and purposeful, in disregard of and with indifference to Jukin's rights, and have caused Jukin direct injury and the loss of revenue.

143. As a direct and proximate result of said unfair competition by Defendant, Jukin is entitled to damages in an amount to be proven at trial.

144. Jukin is also entitled to injunctive relief and redress for Defendant's willful, intentional, and purposeful acts of unfair competition in disregard of Jukin's rights.

### **PRAYER FOR RELIEF**

WHEREFORE, Jukin prays for judgment against Defendant as follows:

A. For damages, or statutory damages, in amount to be determined at trial;

B. For an accounting of Defendant's profits attributable to its infringements of Jukin's copyright in the Original Videos;

C. For a preliminary and permanent injunction prohibiting Defendant, and its respective agents, servants, employees, officers, successors, licensees and assigns, and all persons acting in concert or participation with it, from continuing to infringe Jukin's copyrights in the Original Videos;

D. For a preliminary and permanent injunction prohibiting Defendant, and its respective agents, servants, employees, officers, successors, licensees and

1 assigns, and all persons acting in concert or participation with it, from continuing  
2 to intentionally interfere with Jukin's business relations;

3 E. For prejudgment interest according to law;

4 F. For Jukin's reasonable attorneys' fees and costs incurred in this  
5 action; and

6 G. For such other and further relief as the Court may deem just and  
7 proper.

8  
9 Dated: September 10, 2015

VENABLE LLP

10 By: /s/Tamany Vinson Bentz

11 Tamany Vinson Bentz

12 Attorneys for Plaintiff Jukin Media,  
13 Inc.

14 **DEMAND FOR JURY TRIAL**

15 Plaintiff Jukin Media, Inc. hereby demands a trial by jury for all issues to  
16 which it is so entitled.

17  
18 Dated: September 10, 2015

VENABLE LLP

19 By: /s/Tamany Vinson Bentz

20 Tamany Vinson Bentz

21 Attorneys for Plaintiff Jukin Media,  
22 Inc.  
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